IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 3226 of 1995

Between:

1 V.S. Sreenivasa Murthy S/o. N.V. Subbarao, age 35 yrs, School Asst. Gandhi Centenary High School, Sangareddy.
2 Mohd. Moizuddin S/o. Abdul Azeez, age 32 yrs, SGBT, Gandhi Centenary High School, Sangareddy.
3 S. Vaman Rao S/o. Sreenivasa Rao, age 28 years, SGBT, Gandhi Centenary High School, Sangareddy.

..... PETITIONERS

AND

1 Government of Andhra Pradesh rep. by its Principal Secretary, Education Department, Secretariat, Hyderabad.
2 Director of School Education, A.P., Hyderabad.
3 Regional Joint Director of School Education, A.P., Hyderabad.
4 District Collector & Chairman, Gandhi Centenary High School, Sangareddy.
5 District Educational Officer, Medak at Sangareddy.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction and more particularly one in the nature of WRIT OF MANDAMUS directing the Respondents to declare that the petitioner's appointment is valid and their posts have to be admitted to grant-in-aid and that their appointments have to be approved by the official Respondents and to direct the Respondents to regularize the appointments of the petitioners from the dates of their first appointment and to admit their posts to grant-in-aid and grant all consequential benefits i.e., pay scale attached to the post from the date of their appointment and continue to pay the same with all arrears etc.

For the Petitioner: MR.MIRZA SHUJAUTULLAH BAIG, ADVOCATE

For the Respondents.: GP FOR SCHOOL EDUCATION

The Court made the following :

O R A L O R D E R

The 1st petitioner who is working as School Assistant and the 2nd and 3rd petitioners, who are working as SGBT Teachers in the 4th respondent-school, approached this Court and filed the present Writ Petition for a declaration that the petitioners' appointment is valid and their posts shall be admitted to grant-in-aid and their services should be regularized with effect from the date of their initial appointment and also for consequential benefits.

On earlier occasion, this Court directed the Assistant Government Pleader to produce the records relating to the petitioners and accordingly, on instructions, the learned Assistant Government Pleader produced the records relating to the 1st petitioner and submitted that the 2nd petitioner left the institution and joined in Government service, whereas the 3rd petitioner was removed from out of service, as he was not attending the duties, which fact could not be denied by the learned counsel for the petitioners. As per the records produced by the learned Asst. Government Pleader, the 1st petitioner has paid a total sum of Rs. 1,91,494/- for the period from April, 1997 to June, 2000. From this, it can be inferred that the 1st petitioner is admitted to grant-in-aid. It is further represented by the learned Assistant Government Pleader that the services of the 1st petitioner have already been regularized.

In the light of the aforesaid submission that the 1st petitioner's services were regularized and he was admitted to grant-in-aid, and 2nd and 3rd petitioners are no more in service with 4th respondent-school, I am of the view of that no further orders are required to be passed in this writ petition.

This writ petition is accordingly disposed of. No costs.

_____ 2nd September, 2004

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ASSISTANT REGISTRAR

///TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Education Department, Govt. of A.P. Secretariat, Hyderabad,
2. The Director of School Education, Hyderabad, A.P.
3. The Regional Joint Director of School Education, Hyderabad, A.P.
4. The District Collector & Chairman, Gandhi Centenary High School, Sangareddy,
5. The District Educational Officer, Medak at Sangareddy
6. 2 C.Cs to Govt. Pleader for School Education, High Court buildings, Hyderabad (OUT)
7. 2 C.D. copies.